

RESPONSE TO OFFICE ACTION
Old Atty. Docket No.: IOM-5973/P0445
New Atty. Docket No. P0445-US

Serial No.:09/587,509
Filed: June 5, 2000

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Remarks

Reconsideration and allowance of the above-referenced application are respectfully requested. The foregoing amendments are responsive to the May 18, 2004 Office Action. Applicants respectfully request entry of the requested amendments and reconsideration of the application in view of the following comments.

Objection to the Claim Rejections Under 35 U.S.C § 112

Claim 1 is rejected under 35 U.S.C. § 112, second paragraph as being indefinite. Applicants amend the claims herein to correct any indefiniteness and Applicants respectfully submit that all claims now comply with the requirements of 35 U.S.C. § 112.

Response to the Claim Rejections Under 35 U.S.C §§ 102 and 103

Claims 1-2 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,465,519 issued to Thomas, et al. The rejection asserts that Thomas allegedly teaches each element of the claims. Claim 3 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Thomas in view of U.S. Patent No. 5,212,729 issued to Schafer, et al. The rejection asserts that Thomas allegedly teaches each element of the claims except for password protection, which is allegedly obvious to one of skill in the art.

The claims as amended are directed to a method of controlling software copying by having a HWID correlating the software with a particular computer and proceeding to a copying function only if the HWID and the hard-coded identifier match. By including a HWID, the software may only be copied on one machine. The present claims require use of the HWID only when copying, to thereby prevent unauthorized reproductions. Thomas only teaches the use of a HWID when executing the program. Under Thomas, the program may be copied freely without the use of a HWID. Thomas never teaches or suggests stopping any copying. Thus, a program using the system in Thomas can be freely copied and distributed around the world, thereby allowing a large number of people the opportunity to defeat the security protocol. With the present invention, the program can only exist on designated machines, thereby greatly increasing the level of security provided by Thomas. None of the cited art teaches the use of a HWID to prevent copying.

In view of the foregoing distinctions, Applicants respectfully submit that independent Claim 1 is patentably distinguished over the cited art. Applicants respectfully submit that Claim 1 is in condition for allowance, and Applicants respectfully request allowance of Claim 1.

Claims 2-3 depend either directly or indirectly from Claim 1. Each dependent claim further defines Claim 1. In view of the foregoing remarks regarding Claim 1, Applicants respectfully submit that Claims 2-3 are likewise in condition for allowance. Applicants respectfully request allowance of dependent Claims 2-3.

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Summary


In view of the above amendments and remarks, all of the claims should be in condition for allowance. A formal notice to that effect is respectfully solicited.

Certificate of Facsimile

I hereby certify that this correspondence (and any referred to as attached) is being sent via facsimile to 703-872-9036 to the Commissioner for Patents, on the date indicated below.

Respectfully submitted,

Date: July 15, 2004

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